

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services-T&A Service-Sri Ch. S.V. Hanumantha Rao, Jr. Accountant, Sub-Treasury, Almur, East Godavari Dist.-Regularization of the service from the date of his initial appointment in the category of Jr. Acctt. based on the orders of Hon'ble APAT in O.A. No.3301/2004-Implementation orders-Issued-Reg.

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FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 4428

Dated: 21 -12-2011.  
Read the following;

1. Interim Orders of the Hon'ble APAT in O.A.No. 33.01/2004, dt. 17.06.2004,
2. From the DTA, Lr.No. A2/10451/2004, dt. 24.07.2004,
3. Govt. Memo.NOo.1950/315/A1/Admn.III/2004, dt. 29.11.2004,
4. Final Orders of the Hon'ble APAT in O.A.No. 33.01/2004, dt. 03.07.2009.
5. W.P.No. 28181/2009 filed by DTA, Hyderabad.
6. From the DTA, A.P., Hyderabad Lr. No. A2/10451/2001, dt.22.11.2011.
7. From the DTA, AP., Hyderabad, Lr.No. A2/10451/2001,dt. 08.12.2011.

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ORDER:

The Director of Treasuries and Accounts, A.P., Hyderabad in the reference 2<sup>nd</sup> read above, has informed that Sri Ch. S.V. Hanumantha Rao, was appointed as Jr. Accountant in the Treasury Unit of East Godavari on compassionate grounds on 08.06.1998 with a condition that he should acquire the Type writing Higher Grade in English within two years from the date of appointment. But, the individual could not acquire the said qualification within stipulated period and even in the extended grace period of two years in terms of G.O.Ms.No. 969, G.A.D. (Ser-A) Department, dt.27.10.1995. Since, the individual had not acquired the required qualification; he was given notice, calling for his willingness to work in the lower post. As there was no response from the individual to said notice, he was discharged from service by the Deputy Director, District Treasury, Kakinada vide his Progs. No.A2/10127/03, dt.03.04.2004. Aggrieved with the dismissal orders, he had filed an O.A. No.3301/2004 in the Hon'ble APAT. He was reappointed as Jr. Acctt. as per the Interim orders of Hon'ble APAT, dt. 17.06.2004 in the reference 1st read above. Further, the Hon'ble APAT in their final orders dated 03.07.2009 in the reference 4th read above had directed the respondents to "continue and regularize the services of the individual from the date of initial appointment to the post with all consequential benefits as per the Rules and Law", because the incumbent was being continued as Junior Accountant in pursuance to the Interim Orders of the Hon'ble Tribunal in reference 1<sup>st</sup> read above.

Aggrieved by the orders of the Hon'ble APAT in the reference 4<sup>th</sup> read above, the Director of Treasuries and Accounts, A.P., Hyderabad had filed a W.P.No. 28181/2009 in Hon'ble A.P.H.C and the same admitted by the Hon'ble A.P.H.C. and it is still pending as stated by the DTA, AP., Hyderabad in reference 6<sup>th</sup> read above. As per the Director of Treasuries and Accounts, AP., Hyderabad no stay orders have been granted by APHC on the orders of Hon'ble APAT in O.A.No.3301/2004. Subsequently the individual has filed C.A. No. 326/2011 in O.A. 3301/2004 and the said C.A. came for hearing on 24.03.2011 and re-heard on 21.04.11. when the C.A heard finally on 29.11.2011, it has been ordered by Hon'ble

APAT to adjourn the matter for four weeks, for compliance, failing which the Director of Treasuries and Accounts and Dy. Director, District Treasury concerned are to appear before the Hon'ble Court personally.

Further, the Director of Treasuries and Accounts, AP., Hyderabad through his Lr. 7<sup>th</sup> cited has also quoted a similar case of Sri B.M. Chakrapani, Jr. Acctt., Treasury Unit, Visakhapatnam, wherein Govt. ordered vide G.O.Ms.No. 78, Finance (Admn.III) Department, dt. 25.03.2010 after hearing from all courts, APAT, APHC and Supreme Court of India to relax and regularize his services from the date of his initial appointment to the category of Jr. Acctt. and has requested to consider the present case on the same line, which is similar and deserves similar exemption.

In view of the above position and since no orders are pronounced by the Hon'ble High Court of Andhra Pradesh in the W.P. No.28181/2009 so far, it is considered necessary to implement the orders of Hon'ble APAT issued in the reference 4<sup>th</sup> read above, in relaxation of the Rule 12 read with Rule 31 of A.P. State and Subordinate Service Rules, subject to the outcome the judgment of Hon'ble High Court of Andhra Pradesh in W.P.NO. 28181/2009. The case will be re-examined after the pronouncement of the Judgment in the above said W.P.

After careful examination of the issue Government hereby direct the DTA, AP., and Hyderabad to regularize the services of Sri. Ch. S.V. Hanumantha Rao, in the **category** of Junior Accountant w.e.f. date of initial appointment i.e., 08.06.1998 in relaxation of Rule (12) of A.P. State and Subordinate Service Rules read with Rule 31 of A.P. State and Subordinate Service Rules and subject to outcome of the final judgment of Hon'ble APHC in W.P. 28181/2009. He is also directed to re-open the case as and when the final judgment of Hon'ble A.P.H.C. in W.P. 28181/2009 in the matter is pronounced.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T. SATYANARAYAN RAO  
PRL. SECRETARY TO GOVERNMENT (FP) (i/c)

To  
The Director of Treasures and Accounts, AP., Hyderabad,  
The individual through DTA, A.P., Hyderabad,  
Copy to;  
The Principal A.G. (A&E), A.P., Hyderabad.  
The Dy. Director, Dist. Treasury, E.G., Dist., Kakinada,  
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER